

CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: WWW.DPR.DELAWARE.GOV

PUBLIC MEETING MINUTES:	<b>Board of Cosmetology and Barbering</b>
MEETING DATE AND TIME:	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware
Building	<b>Conference Room A</b> , Second Floor of the Cannon
MINUTES APPROVED:	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
Mark A. Rubio, Public Member  
Linda Wilson, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II  
Judy Letterman, Administrative Specialist III  
James Collins, Director  
Kay Warren, Deputy Director

**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
Chester Hope  
Kevin Harris, Jr., First State Beauty Academy  
Thayer Stewart, First State Beauty Academy  
Donald Cobb, First State Beauty Academy  
Stephanie Gingerich, First State Beauty Academy  
Anthony de'Antre Davis, First State Beauty Academy  
Williemena Cooper, First State Beauty Academy

Gheorge Nastase, Academy of Massage & Bodywork  
Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

### **Ratification of Applications**

A motion was made by Ms. Pini, seconded by Mr. Rubio, to ratify the applications of Sonja's Divine Design Studio, Puttin on the Ritz, Inc., H&J Beauty & Hair Supplies Plus Salon, Angels Nails, Inc., Angel Hair Salon, Lucky Nails, Brookside Community Barber Shop, Royal Scissors International, Sene's Hair Gallery, Cindy's, Celebrity Styles, H&J Clips, Hollywood Nails & Spa, Inc., Kelly Huynh, Brian Smith, Svetlana Krymasky, Wendall Alcenat, Sophie Wildrick and Tammi's. The motion was unanimously carried.

### Propose to Deny

A motion was made by Ms. Pin, seconded by Mr. Rubio, to propose to deny the applications of Phuong Nguyen and Yahweh Spa since they have not responded to the Board's request for additional information. The motion was unanimously carried.

### New Business

#### Proposal to Deny Hearing

Eileen Heeney stated that the hearing for Francisco Diaz has been cancelled at the verbal request of Mr. Diaz who has requested his application be withdrawn. He will forward his request in writing.

#### Review of Reciprocity Applications

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the applications of Diana Brown, Cam Loan Thi Quach, Tuan Tran, Nitasha Sivilay, Cornelia Duke, Tammy Waldman, Lisa Adkins, Jill Foster, Sarah Berg, Mi Shim, Lisa Eicholtz, Julie Tran, Tina Housrey, Nguyet Lieu, Thanh Nguyen, Michelle Gentry, Jamal Powell, Rosanne Thibault, Brenda Barleson, Ky Siu Tsan, Kristen O'Brien, Minh Nguy, Tamara Smith, and Kyra Tiller. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to deny the application of Cuc Huyn for only having three years of experience after licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Khim Lang for schedule C tax document. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Cindy Huynh for an answer to question #3 on the application. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Darlene Curtis pending receipt of a notarized verification of her experience. The motion was unanimously carried.

#### Review of Salon/School Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the shop applications of Venus Nails, Classic Signature Salon, Under the Loft, Tulip Nail II, Pretty Nails, Milford Electrolysis, Touch of Glamour, Lena's Nail Salon, Fabulous Full Service Salon, New Boundaries Salon, Pure Beauty Unisex, Hair Depot, Ultimate Nails, Flipout Hair Designs, Salon on Central, N-D Nails & Tanning, Inc., A Lil' Off the Top Barber Shop, Joan's Hair Design, La Bella Vita Salon & Day Spa, Thomas David Salon, and Top Nail. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Len's Barber Shop. The address on business license differs from the address on application and the business license expired on June 30, 2010. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Majestic Hair Images pending verification of the name and license number of the licensed massage therapist and an updated business license. The motion was unanimously carried.

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A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Exquisite 1000 Salon pending the shop obtaining a licensed cosmetologist. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Rhonda's Family Hair Care for completion of questions #10, #11 and #15 of the application. The motion was unanimously carried.

#### Ratification of Applications

A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

08-03-08-Office of the Attorney General

08-04-08-Office of the Attorney General

08-13-08-Office of the Attorney General

08-15-08-Office of the Attorney General

08-16-08-Office of the Attorney General

08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
08-27-08-Closed  
08-28-08-Office of the Attorney General  
08-29-08-Closed  
08-30-08-Closed  
08-39-08-Assigned  
08-46-08-Assigned  
08-48-08-Office of the Attorney General  
08-49-08-Assigned  
08-52-08-Closed  
08-53-08-Office of the Attorney General  
08-54-08-Assigned  
08-57-08-Office of the Attorney General  
08-58-08-Office of the Attorney General  
08-59-08-Office of the Attorney General  
08-03-09-Office of the Attorney General  
08-04-09-Office of the Attorney General  
08-05-09-Closed  
08-06-09-Closed  
08-07-09-Closed  
08-08-09-Assigned  
08-09-09-Office of the Attorney General  
08-11-09-Closed  
08-12-09-Assigned  
08-13-09-Assigned  
08-14-09-Closed  
08-15-09-Closed  
08-16-09-Closed  
08-17-09-Closed  
08-18-09-Closed  
08-19-09-Office of the Attorney General  
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08-22-09-Office of the Attorney General  
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08-26-09-Office of the Attorney General  
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08-30-09-Assigned  
08-37-09-Closed  
08-39-08-Office of the Attorney General  
08-40-09-Office of the Attorney General  
08-41-09-Office of the Attorney General  
08-42-09-Office of the Attorney General  
08-43-09-Closed

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08-45-09-Assigned  
08-46-09-Office of the Attorney General  
08-47-09-Office of the Attorney General  
08-48-09-Office of the Attorney General  
08-49-09-Assigned  
08-50-09-Closed  
08-51-09-Closed  
08-52-09-Office of the Attorney General  
08-53-09-Office of the Attorney General  
08-54-09-Office of the Attorney General  
08-55-09-Assigned  
08-01-10-Office of the Attorney General  
08-02-10-Closed  
08-04-10-Assigned  
08-05-10-Closed  
08-06-10-Assigned  
08-07-10-Assigned  
08-08-10-Office of the Attorney General  
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08-12-10-Assigned  
08-13-10-Assigned  
08-15-10-Closed  
08-16-10-Assigned  
08-17-10-Office of the Attorney General  
08-18-10-Assigned  
08-19-10-Assigned  
08-20-10-Office of the Attorney General  
08-21-10-Assigned  
08-22-10-Office of the Attorney General  
08-23-10-Office of the Attorney General  
08-24-10-Office of the Attorney General

Review of Applications-Eileen Heeney

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the examination applications of Steve Kaminski, Joshua Conkey, and Natasha Abney since their crime(s) are not on the Board's list of substantially related crimes that could prevent licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to propose deny the applications of Tuan Thanh Nguyen, Viet Q. Ho, and Lien Huynh due to having previous disciplinary action. The motion was unanimously carried.

A motion was made by Mr. Rubio, seconded by Ms. Lord, to propose to deny the applications of Carol Gadsden and Rosa Van due to disciplinary action in another state. The motion was unanimously carried.

A motion was made by Mr. Rubio, seconded by Ms. Lord, to approve the apprentice application of U'Gundi Jacobs. The motion was unanimously carried.

#### Request for ADA Accommodations

A motion was made by Mr. Rubio, seconded by Ms. Lord, to approve the ADA accommodation request of William Lynch. The motion was unanimously carried.

#### Discussion of Statutory Requirement 5119 and 5134

A motion was made by Ms. Nellius, seconded by Ms. Pini, to table this discussion until the October meeting. The motion was unanimously carried.

#### Discussion of Multiple Instructor Licenses

Ms. Letterman inquired if a cosmetology instructor wanted to become a nail or aesthetician Instructor, would they need to take the appropriate instructor exam. The Board unanimously stated that they would need to first complete that professional instructor exam.

#### Discussion of Proposed Legislation

If the Board had any proposed changes to the current statute, they would need to submit those changes to the Division Director November 2010.

#### Schedule Hearings

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a Rule to Show Cause hearing at the October 25, 2010 Board meeting for Linda Keefer and Adriane Carson. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the January 24, 2011 Board meeting for Jeanette Coston and Jamie Kosiek. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the February 28, 2011 Board meeting for Phyllis Henry, Randall Richardson and Binh Ho. The motion was unanimously carried.

#### Review of Consent Order

A motion was made by Mr. Rubio, seconded by Ms. Lord, to table review of the Consent Order pending review of the original complaint. The motion was unanimously carried.

#### Elections

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table Board elections until the October 25, 2010 meeting. The motion was unanimously carried.

### **Other Business Before the Board**

Jennifer Witte was introduced to the Board as their new Administrative Specialist.

This is the last Board meeting for Mr. Rubio as new job duties will not allow him to attend the meetings.

Mr. Collins addressed the Board in reference to the changes in the statute effective June 26, 2010 authorizing the Board to perform shop/salon inspections. The Division will be hiring a part-time inspector in October to work closely with the municipalities concerning unlicensed facilities.

He also would like the Board to discuss whether a nail technician should be able to perform waxing service and should this be made part of their core curriculum or should there be a special license that can be acquired to provide waxing services.

He added that the public believes that the Board has an absolute felony bar and that if they have a criminal history they cannot get licensed in Delaware and therefore, they work unlicensed. The Division of Professional Regulations needs to inform the public that there is no longer a felony bar and that if they have been convicted of a crime it may not prevent them from licensure. He also recommended that the Board find ways to provide this information to the public whether by sending newsletters to licensed shops, updating this information on the website, or providing this information when the shop/salon inspections are being performed.

The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

Donald Cobb, with 1<sup>st</sup> State Beauty Academy, inquired how to become a member on the Board of Cosmetology & Barbering. He was advised by the Board to contact the Governors Office

Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

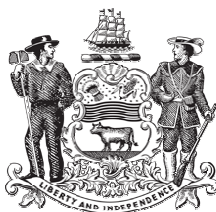
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



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<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

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Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

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### **Signing of the Decision and Order**

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### New Business

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#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

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08-48-08-Office of the Attorney General  
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Review of Applications-Eileen Heeney

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#### Request for ADA Accommodations

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#### Discussion of Statutory Requirement 5119 and 5134

A motion was made by Ms. Nellius, seconded by Ms. Pini, to table this discussion until the October meeting. The motion was unanimously carried.

#### Discussion of Multiple Instructor Licenses

Ms. Letterman inquired if a cosmetology instructor wanted to become a nail or aesthetician Instructor, would they need to take the appropriate instructor exam. The Board unanimously stated that they would need to first complete that professional instructor exam.

#### Discussion of Proposed Legislation

If the Board had any proposed changes to the current statute, they would need to submit those changes to the Division Director November 2010.

#### Schedule Hearings

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a Rule to Show Cause hearing at the October 25, 2010 Board meeting for Linda Keefer and Adriane Carson. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the January 24, 2011 Board meeting for Jeanette Coston and Jamie Kosiek. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the February 28, 2011 Board meeting for Phyllis Henry, Randall Richardson and Binh Ho. The motion was unanimously carried.

#### Review of Consent Order

A motion was made by Mr. Rubio, seconded by Ms. Lord, to table review of the Consent Order pending review of the original complaint. The motion was unanimously carried.

#### Elections

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table Board elections until the October 25, 2010 meeting. The motion was unanimously carried.

### **Other Business Before the Board**

Jennifer Witte was introduced to the Board as their new Administrative Specialist.

This is the last Board meeting for Mr. Rubio as new job duties will not allow him to attend the meetings.

Mr. Collins addressed the Board in reference to the changes in the statute effective June 26, 2010 authorizing the Board to perform shop/salon inspections. The Division will be hiring a part-time inspector in October to work closely with the municipalities concerning unlicensed facilities.

He also would like the Board to discuss whether a nail technician should be able to perform waxing service and should this be made part of their core curriculum or should there be a special license that can be acquired to provide waxing services.

He added that the public believes that the Board has an absolute felony bar and that if they have a criminal history they cannot get licensed in Delaware and therefore, they work unlicensed. The Division of Professional Regulations needs to inform the public that there is no longer a felony bar and that if they have been convicted of a crime it may not prevent them from licensure. He also recommended that the Board find ways to provide this information to the public whether by sending newsletters to licensed shops, updating this information on the website, or providing this information when the shop/salon inspections are being performed.

The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

Donald Cobb, with 1<sup>st</sup> State Beauty Academy, inquired how to become a member on the Board of Cosmetology & Barbering. He was advised by the Board to contact the Governors Office

Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

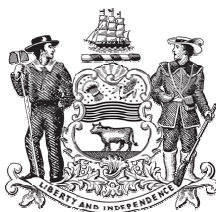
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: WWW.DPR.DELAWARE.GOV

<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
Mark A. Rubio, Public Member  
Linda Wilson, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II  
Judy Letterman, Administrative Specialist III  
James Collins, Director  
Kay Warren, Deputy Director

**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
Chester Hope  
Kevin Harris, Jr., First State Beauty Academy  
Thayer Stewart, First State Beauty Academy  
Donald Cobb, First State Beauty Academy  
Stephanie Gingerich, First State Beauty Academy  
Anthony de'Antre Davis, First State Beauty Academy  
Williemena Cooper, First State Beauty Academy

Gheorge Nastase, Academy of Massage & Bodywork  
Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

### **Ratification of Applications**

A motion was made by Ms. Pini, seconded by Mr. Rubio, to ratify the applications of Sonja's Divine Design Studio, Puttin on the Ritz, Inc., H&J Beauty & Hair Supplies Plus Salon, Angels Nails, Inc., Angel Hair Salon, Lucky Nails, Brookside Community Barber Shop, Royal Scissors International, Sene's Hair Gallery, Cindy's, Celebrity Styles, H&J Clips, Hollywood Nails & Spa, Inc., Kelly Huynh, Brian Smith, Svetlana Krymasky, Wendall Alcenat, Sophie Wildrick and Tammi's. The motion was unanimously carried.

### Propose to Deny

A motion was made by Ms. Pin, seconded by Mr. Rubio, to propose to deny the applications of Phuong Nguyen and Yahweh Spa since they have not responded to the Board's request for additional information. The motion was unanimously carried.

### New Business

#### Proposal to Deny Hearing

Eileen Heeney stated that the hearing for Francisco Diaz has been cancelled at the verbal request of Mr. Diaz who has requested his application be withdrawn. He will forward his request in writing.

#### Review of Reciprocity Applications

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the applications of Diana Brown, Cam Loan Thi Quach, Tuan Tran, Nitasha Sivilay, Cornelia Duke, Tammy Waldman, Lisa Adkins, Jill Foster, Sarah Berg, Mi Shim, Lisa Eicholtz, Julie Tran, Tina Housrey, Nguyet Lieu, Thanh Nguyen, Michelle Gentry, Jamal Powell, Rosanne Thibault, Brenda Barleson, Ky Siu Tsan, Kristen O'Brien, Minh Nguy, Tamara Smith, and Kyra Tiller. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to deny the application of Cuc Huyn for only having three years of experience after licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Khim Lang for schedule C tax document. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Cindy Huynh for an answer to question #3 on the application. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Darlene Curtis pending receipt of a notarized verification of her experience. The motion was unanimously carried.

#### Review of Salon/School Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the shop applications of Venus Nails, Classic Signature Salon, Under the Loft, Tulip Nail II, Pretty Nails, Milford Electrolysis, Touch of Glamour, Lena's Nail Salon, Fabulous Full Service Salon, New Boundaries Salon, Pure Beauty Unisex, Hair Depot, Ultimate Nails, Flipout Hair Designs, Salon on Central, N-D Nails & Tanning, Inc., A Lil' Off the Top Barber Shop, Joan's Hair Design, La Bella Vita Salon & Day Spa, Thomas David Salon, and Top Nail. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Len's Barber Shop. The address on business license differs from the address on application and the business license expired on June 30, 2010. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Majestic Hair Images pending verification of the name and license number of the licensed massage therapist and an updated business license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the applications of Its All in the Wrist, LLC. and VIP Nails Corp. pending receipt of an updated business license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Hair Influence pending receipt of a city/town license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Exquisite 1000 Salon pending the shop obtaining a licensed cosmetologist. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Rhonda's Family Hair Care for completion of questions #10, #11 and #15 of the application. The motion was unanimously carried.

#### Ratification of Applications

A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

08-03-08-Office of the Attorney General

08-04-08-Office of the Attorney General

08-13-08-Office of the Attorney General

08-15-08-Office of the Attorney General

08-16-08-Office of the Attorney General

08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
08-27-08-Closed  
08-28-08-Office of the Attorney General  
08-29-08-Closed  
08-30-08-Closed  
08-39-08-Assigned  
08-46-08-Assigned  
08-48-08-Office of the Attorney General  
08-49-08-Assigned  
08-52-08-Closed  
08-53-08-Office of the Attorney General  
08-54-08-Assigned  
08-57-08-Office of the Attorney General  
08-58-08-Office of the Attorney General  
08-59-08-Office of the Attorney General  
08-03-09-Office of the Attorney General  
08-04-09-Office of the Attorney General  
08-05-09-Closed  
08-06-09-Closed  
08-07-09-Closed  
08-08-09-Assigned  
08-09-09-Office of the Attorney General  
08-11-09-Closed  
08-12-09-Assigned  
08-13-09-Assigned  
08-14-09-Closed  
08-15-09-Closed  
08-16-09-Closed  
08-17-09-Closed  
08-18-09-Closed  
08-19-09-Office of the Attorney General  
08-20-09-Office of the Attorney General  
08-21-09-Office of the Attorney General  
08-22-09-Office of the Attorney General  
\*08-24-09-Closed  
08-25-09-Assigned  
08-26-09-Office of the Attorney General  
08-28-09-Assigned  
08-29-09-Office of the Attorney General  
08-30-09-Assigned  
08-37-09-Closed  
08-39-08-Office of the Attorney General  
08-40-09-Office of the Attorney General  
08-41-09-Office of the Attorney General  
08-42-09-Office of the Attorney General  
08-43-09-Closed

08-44-09-Assigned  
08-45-09-Assigned  
08-46-09-Office of the Attorney General  
08-47-09-Office of the Attorney General  
08-48-09-Office of the Attorney General  
08-49-09-Assigned  
08-50-09-Closed  
08-51-09-Closed  
08-52-09-Office of the Attorney General  
08-53-09-Office of the Attorney General  
08-54-09-Office of the Attorney General  
08-55-09-Assigned  
08-01-10-Office of the Attorney General  
08-02-10-Closed  
08-04-10-Assigned  
08-05-10-Closed  
08-06-10-Assigned  
08-07-10-Assigned  
08-08-10-Office of the Attorney General  
08-09-10-Office of the Attorney General  
08-10-10-Assigned  
08-11-10-Assigned  
08-12-10-Assigned  
08-13-10-Assigned  
08-15-10-Closed  
08-16-10-Assigned  
08-17-10-Office of the Attorney General  
08-18-10-Assigned  
08-19-10-Assigned  
08-20-10-Office of the Attorney General  
08-21-10-Assigned  
08-22-10-Office of the Attorney General  
08-23-10-Office of the Attorney General  
08-24-10-Office of the Attorney General

Review of Applications-Eileen Heeney

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the examination applications of Steve Kaminski, Joshua Conkey, and Natasha Abney since their crime(s) are not on the Board's list of substantially related crimes that could prevent licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to propose deny the applications of Tuan Thanh Nguyen, Viet Q. Ho, and Lien Huynh due to having previous disciplinary action. The motion was unanimously carried.

A motion was made by Mr. Rubio, seconded by Ms. Lord, to propose to deny the applications of Carol Gadsden and Rosa Van due to disciplinary action in another state. The motion was unanimously carried.

A motion was made by Mr. Rubio, seconded by Ms. Lord, to approve the apprentice application of U'Gundi Jacobs. The motion was unanimously carried.

#### Request for ADA Accommodations

A motion was made by Mr. Rubio, seconded by Ms. Lord, to approve the ADA accommodation request of William Lynch. The motion was unanimously carried.

#### Discussion of Statutory Requirement 5119 and 5134

A motion was made by Ms. Nellius, seconded by Ms. Pini, to table this discussion until the October meeting. The motion was unanimously carried.

#### Discussion of Multiple Instructor Licenses

Ms. Letterman inquired if a cosmetology instructor wanted to become a nail or aesthetician Instructor, would they need to take the appropriate instructor exam. The Board unanimously stated that they would need to first complete that professional instructor exam.

#### Discussion of Proposed Legislation

If the Board had any proposed changes to the current statute, they would need to submit those changes to the Division Director November 2010.

#### Schedule Hearings

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a Rule to Show Cause hearing at the October 25, 2010 Board meeting for Linda Keefer and Adriane Carson. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the January 24, 2011 Board meeting for Jeanette Coston and Jamie Kosiek. The motion was unanimously carried.

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#### Review of Consent Order

A motion was made by Mr. Rubio, seconded by Ms. Lord, to table review of the Consent Order pending review of the original complaint. The motion was unanimously carried.

#### Elections

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table Board elections until the October 25, 2010 meeting. The motion was unanimously carried.

### **Other Business Before the Board**

Jennifer Witte was introduced to the Board as their new Administrative Specialist.

This is the last Board meeting for Mr. Rubio as new job duties will not allow him to attend the meetings.

Mr. Collins addressed the Board in reference to the changes in the statute effective June 26, 2010 authorizing the Board to perform shop/salon inspections. The Division will be hiring a part-time inspector in October to work closely with the municipalities concerning unlicensed facilities.

He also would like the Board to discuss whether a nail technician should be able to perform waxing service and should this be made part of their core curriculum or should there be a special license that can be acquired to provide waxing services.

He added that the public believes that the Board has an absolute felony bar and that if they have a criminal history they cannot get licensed in Delaware and therefore, they work unlicensed. The Division of Professional Regulations needs to inform the public that there is no longer a felony bar and that if they have been convicted of a crime it may not prevent them from licensure. He also recommended that the Board find ways to provide this information to the public whether by sending newsletters to licensed shops, updating this information on the website, or providing this information when the shop/salon inspections are being performed.

The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

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Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

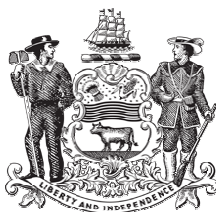
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
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<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
Mark A. Rubio, Public Member  
Linda Wilson, Professional Member

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Jennifer Witte, Administrative Specialist II  
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**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
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Gheorge Nastase, Academy of Massage & Bodywork  
Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

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### New Business

#### Proposal to Deny Hearing

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#### Ratification of Applications

A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

08-03-08-Office of the Attorney General

08-04-08-Office of the Attorney General

08-13-08-Office of the Attorney General

08-15-08-Office of the Attorney General

08-16-08-Office of the Attorney General

08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
08-27-08-Closed  
08-28-08-Office of the Attorney General  
08-29-08-Closed  
08-30-08-Closed  
08-39-08-Assigned  
08-46-08-Assigned  
08-48-08-Office of the Attorney General  
08-49-08-Assigned  
08-52-08-Closed  
08-53-08-Office of the Attorney General  
08-54-08-Assigned  
08-57-08-Office of the Attorney General  
08-58-08-Office of the Attorney General  
08-59-08-Office of the Attorney General  
08-03-09-Office of the Attorney General  
08-04-09-Office of the Attorney General  
08-05-09-Closed  
08-06-09-Closed  
08-07-09-Closed  
08-08-09-Assigned  
08-09-09-Office of the Attorney General  
08-11-09-Closed  
08-12-09-Assigned  
08-13-09-Assigned  
08-14-09-Closed  
08-15-09-Closed  
08-16-09-Closed  
08-17-09-Closed  
08-18-09-Closed  
08-19-09-Office of the Attorney General  
08-20-09-Office of the Attorney General  
08-21-09-Office of the Attorney General  
08-22-09-Office of the Attorney General  
\*08-24-09-Closed  
08-25-09-Assigned  
08-26-09-Office of the Attorney General  
08-28-09-Assigned  
08-29-09-Office of the Attorney General  
08-30-09-Assigned  
08-37-09-Closed  
08-39-08-Office of the Attorney General  
08-40-09-Office of the Attorney General  
08-41-09-Office of the Attorney General  
08-42-09-Office of the Attorney General  
08-43-09-Closed

08-44-09-Assigned  
08-45-09-Assigned  
08-46-09-Office of the Attorney General  
08-47-09-Office of the Attorney General  
08-48-09-Office of the Attorney General  
08-49-09-Assigned  
08-50-09-Closed  
08-51-09-Closed  
08-52-09-Office of the Attorney General  
08-53-09-Office of the Attorney General  
08-54-09-Office of the Attorney General  
08-55-09-Assigned  
08-01-10-Office of the Attorney General  
08-02-10-Closed  
08-04-10-Assigned  
08-05-10-Closed  
08-06-10-Assigned  
08-07-10-Assigned  
08-08-10-Office of the Attorney General  
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08-10-10-Assigned  
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08-12-10-Assigned  
08-13-10-Assigned  
08-15-10-Closed  
08-16-10-Assigned  
08-17-10-Office of the Attorney General  
08-18-10-Assigned  
08-19-10-Assigned  
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08-21-10-Assigned  
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Review of Applications-Eileen Heeney

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#### Request for ADA Accommodations

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#### Discussion of Statutory Requirement 5119 and 5134

A motion was made by Ms. Nellius, seconded by Ms. Pini, to table this discussion until the October meeting. The motion was unanimously carried.

#### Discussion of Multiple Instructor Licenses

Ms. Letterman inquired if a cosmetology instructor wanted to become a nail or aesthetician Instructor, would they need to take the appropriate instructor exam. The Board unanimously stated that they would need to first complete that professional instructor exam.

#### Discussion of Proposed Legislation

If the Board had any proposed changes to the current statute, they would need to submit those changes to the Division Director November 2010.

#### Schedule Hearings

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a Rule to Show Cause hearing at the October 25, 2010 Board meeting for Linda Keefer and Adriane Carson. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the January 24, 2011 Board meeting for Jeanette Coston and Jamie Kosiek. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the February 28, 2011 Board meeting for Phyllis Henry, Randall Richardson and Binh Ho. The motion was unanimously carried.

#### Review of Consent Order

A motion was made by Mr. Rubio, seconded by Ms. Lord, to table review of the Consent Order pending review of the original complaint. The motion was unanimously carried.

#### Elections

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table Board elections until the October 25, 2010 meeting. The motion was unanimously carried.

### **Other Business Before the Board**

Jennifer Witte was introduced to the Board as their new Administrative Specialist.

This is the last Board meeting for Mr. Rubio as new job duties will not allow him to attend the meetings.

Mr. Collins addressed the Board in reference to the changes in the statute effective June 26, 2010 authorizing the Board to perform shop/salon inspections. The Division will be hiring a part-time inspector in October to work closely with the municipalities concerning unlicensed facilities.

He also would like the Board to discuss whether a nail technician should be able to perform waxing service and should this be made part of their core curriculum or should there be a special license that can be acquired to provide waxing services.

He added that the public believes that the Board has an absolute felony bar and that if they have a criminal history they cannot get licensed in Delaware and therefore, they work unlicensed. The Division of Professional Regulations needs to inform the public that there is no longer a felony bar and that if they have been convicted of a crime it may not prevent them from licensure. He also recommended that the Board find ways to provide this information to the public whether by sending newsletters to licensed shops, updating this information on the website, or providing this information when the shop/salon inspections are being performed.

The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

Donald Cobb, with 1<sup>st</sup> State Beauty Academy, inquired how to become a member on the Board of Cosmetology & Barbering. He was advised by the Board to contact the Governors Office

Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

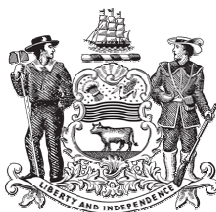
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: WWW.DPR.DELAWARE.GOV

<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
Mark A. Rubio, Public Member  
Linda Wilson, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II  
Judy Letterman, Administrative Specialist III  
James Collins, Director  
Kay Warren, Deputy Director

**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
Chester Hope  
Kevin Harris, Jr., First State Beauty Academy  
Thayer Stewart, First State Beauty Academy  
Donald Cobb, First State Beauty Academy  
Stephanie Gingerich, First State Beauty Academy  
Anthony de'Antre Davis, First State Beauty Academy  
Williemena Cooper, First State Beauty Academy

Gheorge Nastase, Academy of Massage & Bodywork  
Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

### **Ratification of Applications**

A motion was made by Ms. Pini, seconded by Mr. Rubio, to ratify the applications of Sonja's Divine Design Studio, Puttin on the Ritz, Inc., H&J Beauty & Hair Supplies Plus Salon, Angels Nails, Inc., Angel Hair Salon, Lucky Nails, Brookside Community Barber Shop, Royal Scissors International, Sene's Hair Gallery, Cindy's, Celebrity Styles, H&J Clips, Hollywood Nails & Spa, Inc., Kelly Huynh, Brian Smith, Svetlana Krymasky, Wendall Alcenat, Sophie Wildrick and Tammi's. The motion was unanimously carried.

### Propose to Deny

A motion was made by Ms. Pin, seconded by Mr. Rubio, to propose to deny the applications of Phuong Nguyen and Yahweh Spa since they have not responded to the Board's request for additional information. The motion was unanimously carried.

### New Business

#### Proposal to Deny Hearing

Eileen Heeney stated that the hearing for Francisco Diaz has been cancelled at the verbal request of Mr. Diaz who has requested his application be withdrawn. He will forward his request in writing.

#### Review of Reciprocity Applications

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the applications of Diana Brown, Cam Loan Thi Quach, Tuan Tran, Nitasha Sivilay, Cornelia Duke, Tammy Waldman, Lisa Adkins, Jill Foster, Sarah Berg, Mi Shim, Lisa Eicholtz, Julie Tran, Tina Housrey, Nguyet Lieu, Thanh Nguyen, Michelle Gentry, Jamal Powell, Rosanne Thibault, Brenda Barleson, Ky Siu Tsan, Kristen O'Brien, Minh Nguy, Tamara Smith, and Kyra Tiller. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to deny the application of Cuc Huyn for only having three years of experience after licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Khim Lang for schedule C tax document. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Cindy Huynh for an answer to question #3 on the application. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Darlene Curtis pending receipt of a notarized verification of her experience. The motion was unanimously carried.

#### Review of Salon/School Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the shop applications of Venus Nails, Classic Signature Salon, Under the Loft, Tulip Nail II, Pretty Nails, Milford Electrolysis, Touch of Glamour, Lena's Nail Salon, Fabulous Full Service Salon, New Boundaries Salon, Pure Beauty Unisex, Hair Depot, Ultimate Nails, Flipout Hair Designs, Salon on Central, N-D Nails & Tanning, Inc., A Lil' Off the Top Barber Shop, Joan's Hair Design, La Bella Vita Salon & Day Spa, Thomas David Salon, and Top Nail. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Len's Barber Shop. The address on business license differs from the address on application and the business license expired on June 30, 2010. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Majestic Hair Images pending verification of the name and license number of the licensed massage therapist and an updated business license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the applications of Its All in the Wrist, LLC. and VIP Nails Corp. pending receipt of an updated business license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Hair Influence pending receipt of a city/town license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Exquisite 1000 Salon pending the shop obtaining a licensed cosmetologist. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Rhonda's Family Hair Care for completion of questions #10, #11 and #15 of the application. The motion was unanimously carried.

#### Ratification of Applications

A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

08-03-08-Office of the Attorney General

08-04-08-Office of the Attorney General

08-13-08-Office of the Attorney General

08-15-08-Office of the Attorney General

08-16-08-Office of the Attorney General

08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
08-27-08-Closed  
08-28-08-Office of the Attorney General  
08-29-08-Closed  
08-30-08-Closed  
08-39-08-Assigned  
08-46-08-Assigned  
08-48-08-Office of the Attorney General  
08-49-08-Assigned  
08-52-08-Closed  
08-53-08-Office of the Attorney General  
08-54-08-Assigned  
08-57-08-Office of the Attorney General  
08-58-08-Office of the Attorney General  
08-59-08-Office of the Attorney General  
08-03-09-Office of the Attorney General  
08-04-09-Office of the Attorney General  
08-05-09-Closed  
08-06-09-Closed  
08-07-09-Closed  
08-08-09-Assigned  
08-09-09-Office of the Attorney General  
08-11-09-Closed  
08-12-09-Assigned  
08-13-09-Assigned  
08-14-09-Closed  
08-15-09-Closed  
08-16-09-Closed  
08-17-09-Closed  
08-18-09-Closed  
08-19-09-Office of the Attorney General  
08-20-09-Office of the Attorney General  
08-21-09-Office of the Attorney General  
08-22-09-Office of the Attorney General  
\*08-24-09-Closed  
08-25-09-Assigned  
08-26-09-Office of the Attorney General  
08-28-09-Assigned  
08-29-09-Office of the Attorney General  
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08-01-10-Office of the Attorney General  
08-02-10-Closed  
08-04-10-Assigned  
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Review of Applications-Eileen Heeney

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**Next Scheduled Meeting**

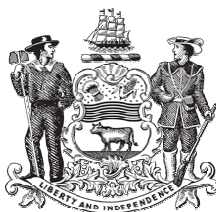
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
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DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
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<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
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**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
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Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
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### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

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A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the shop applications of Venus Nails, Classic Signature Salon, Under the Loft, Tulip Nail II, Pretty Nails, Milford Electrolysis, Touch of Glamour, Lena's Nail Salon, Fabulous Full Service Salon, New Boundaries Salon, Pure Beauty Unisex, Hair Depot, Ultimate Nails, Flipout Hair Designs, Salon on Central, N-D Nails & Tanning, Inc., A Lil' Off the Top Barber Shop, Joan's Hair Design, La Bella Vita Salon & Day Spa, Thomas David Salon, and Top Nail. The motion was unanimously carried.

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#### Ratification of Applications

A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

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08-03-08-Office of the Attorney General

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08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
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Review of Applications-Eileen Heeney

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Ms. Letterman inquired if a cosmetology instructor wanted to become a nail or aesthetician Instructor, would they need to take the appropriate instructor exam. The Board unanimously stated that they would need to first complete that professional instructor exam.

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#### Review of Consent Order

A motion was made by Mr. Rubio, seconded by Ms. Lord, to table review of the Consent Order pending review of the original complaint. The motion was unanimously carried.

#### Elections

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table Board elections until the October 25, 2010 meeting. The motion was unanimously carried.

### **Other Business Before the Board**

Jennifer Witte was introduced to the Board as their new Administrative Specialist.

This is the last Board meeting for Mr. Rubio as new job duties will not allow him to attend the meetings.

Mr. Collins addressed the Board in reference to the changes in the statute effective June 26, 2010 authorizing the Board to perform shop/salon inspections. The Division will be hiring a part-time inspector in October to work closely with the municipalities concerning unlicensed facilities.

He also would like the Board to discuss whether a nail technician should be able to perform waxing service and should this be made part of their core curriculum or should there be a special license that can be acquired to provide waxing services.

He added that the public believes that the Board has an absolute felony bar and that if they have a criminal history they cannot get licensed in Delaware and therefore, they work unlicensed. The Division of Professional Regulations needs to inform the public that there is no longer a felony bar and that if they have been convicted of a crime it may not prevent them from licensure. He also recommended that the Board find ways to provide this information to the public whether by sending newsletters to licensed shops, updating this information on the website, or providing this information when the shop/salon inspections are being performed.

The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

Donald Cobb, with 1<sup>st</sup> State Beauty Academy, inquired how to become a member on the Board of Cosmetology & Barbering. He was advised by the Board to contact the Governors Office

Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

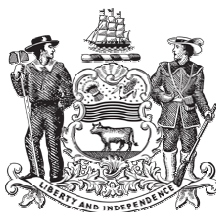
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: WWW.DPR.DELAWARE.GOV

<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
Mark A. Rubio, Public Member  
Linda Wilson, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II  
Judy Letterman, Administrative Specialist III  
James Collins, Director  
Kay Warren, Deputy Director

**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
Chester Hope  
Kevin Harris, Jr., First State Beauty Academy  
Thayer Stewart, First State Beauty Academy  
Donald Cobb, First State Beauty Academy  
Stephanie Gingerich, First State Beauty Academy  
Anthony de'Antre Davis, First State Beauty Academy  
Williemena Cooper, First State Beauty Academy

Gheorge Nastase, Academy of Massage & Bodywork  
Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

### **Ratification of Applications**

A motion was made by Ms. Pini, seconded by Mr. Rubio, to ratify the applications of Sonja's Divine Design Studio, Puttin on the Ritz, Inc., H&J Beauty & Hair Supplies Plus Salon, Angels Nails, Inc., Angel Hair Salon, Lucky Nails, Brookside Community Barber Shop, Royal Scissors International, Sene's Hair Gallery, Cindy's, Celebrity Styles, H&J Clips, Hollywood Nails & Spa, Inc., Kelly Huynh, Brian Smith, Svetlana Krymasky, Wendall Alcenat, Sophie Wildrick and Tammi's. The motion was unanimously carried.

### Propose to Deny

A motion was made by Ms. Pin, seconded by Mr. Rubio, to propose to deny the applications of Phuong Nguyen and Yahweh Spa since they have not responded to the Board's request for additional information. The motion was unanimously carried.

### New Business

#### Proposal to Deny Hearing

Eileen Heeney stated that the hearing for Francisco Diaz has been cancelled at the verbal request of Mr. Diaz who has requested his application be withdrawn. He will forward his request in writing.

#### Review of Reciprocity Applications

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the applications of Diana Brown, Cam Loan Thi Quach, Tuan Tran, Nitasha Sivilay, Cornelia Duke, Tammy Waldman, Lisa Adkins, Jill Foster, Sarah Berg, Mi Shim, Lisa Eicholtz, Julie Tran, Tina Housrey, Nguyet Lieu, Thanh Nguyen, Michelle Gentry, Jamal Powell, Rosanne Thibault, Brenda Barleson, Ky Siu Tsan, Kristen O'Brien, Minh Nguy, Tamara Smith, and Kyra Tiller. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to deny the application of Cuc Huyn for only having three years of experience after licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Khim Lang for schedule C tax document. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Cindy Huynh for an answer to question #3 on the application. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Darlene Curtis pending receipt of a notarized verification of her experience. The motion was unanimously carried.

#### Review of Salon/School Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the shop applications of Venus Nails, Classic Signature Salon, Under the Loft, Tulip Nail II, Pretty Nails, Milford Electrolysis, Touch of Glamour, Lena's Nail Salon, Fabulous Full Service Salon, New Boundaries Salon, Pure Beauty Unisex, Hair Depot, Ultimate Nails, Flipout Hair Designs, Salon on Central, N-D Nails & Tanning, Inc., A Lil' Off the Top Barber Shop, Joan's Hair Design, La Bella Vita Salon & Day Spa, Thomas David Salon, and Top Nail. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Len's Barber Shop. The address on business license differs from the address on application and the business license expired on June 30, 2010. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Majestic Hair Images pending verification of the name and license number of the licensed massage therapist and an updated business license. The motion was unanimously carried.

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A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Rhonda's Family Hair Care for completion of questions #10, #11 and #15 of the application. The motion was unanimously carried.

#### Ratification of Applications

A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

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**Next Scheduled Meeting**

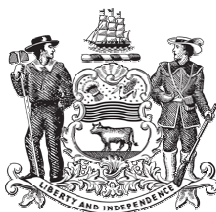
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
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DIVISION OF PROFESSIONAL REGULATION

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<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

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Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
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Jennifer Witte, Administrative Specialist II  
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Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

### **Ratification of Applications**

A motion was made by Ms. Pini, seconded by Mr. Rubio, to ratify the applications of Sonja's Divine Design Studio, Puttin on the Ritz, Inc., H&J Beauty & Hair Supplies Plus Salon, Angels Nails, Inc., Angel Hair Salon, Lucky Nails, Brookside Community Barber Shop, Royal Scissors International, Sene's Hair Gallery, Cindy's, Celebrity Styles, H&J Clips, Hollywood Nails & Spa, Inc., Kelly Huynh, Brian Smith, Svetlana Krymasky, Wendall Alcenat, Sophie Wildrick and Tammi's. The motion was unanimously carried.

### Propose to Deny

A motion was made by Ms. Pin, seconded by Mr. Rubio, to propose to deny the applications of Phuong Nguyen and Yahweh Spa since they have not responded to the Board's request for additional information. The motion was unanimously carried.

### New Business

#### Proposal to Deny Hearing

Eileen Heeney stated that the hearing for Francisco Diaz has been cancelled at the verbal request of Mr. Diaz who has requested his application be withdrawn. He will forward his request in writing.

#### Review of Reciprocity Applications

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the applications of Diana Brown, Cam Loan Thi Quach, Tuan Tran, Nitasha Sivilay, Cornelia Duke, Tammy Waldman, Lisa Adkins, Jill Foster, Sarah Berg, Mi Shim, Lisa Eicholtz, Julie Tran, Tina Housrey, Nguyet Lieu, Thanh Nguyen, Michelle Gentry, Jamal Powell, Rosanne Thibault, Brenda Barleson, Ky Siu Tsan, Kristen O'Brien, Minh Nguy, Tamara Smith, and Kyra Tiller. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to deny the application of Cuc Huyn for only having three years of experience after licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Khim Lang for schedule C tax document. The motion was unanimously carried.

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#### Review of Salon/School Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the shop applications of Venus Nails, Classic Signature Salon, Under the Loft, Tulip Nail II, Pretty Nails, Milford Electrolysis, Touch of Glamour, Lena's Nail Salon, Fabulous Full Service Salon, New Boundaries Salon, Pure Beauty Unisex, Hair Depot, Ultimate Nails, Flipout Hair Designs, Salon on Central, N-D Nails & Tanning, Inc., A Lil' Off the Top Barber Shop, Joan's Hair Design, La Bella Vita Salon & Day Spa, Thomas David Salon, and Top Nail. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Len's Barber Shop. The address on business license differs from the address on application and the business license expired on June 30, 2010. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Majestic Hair Images pending verification of the name and license number of the licensed massage therapist and an updated business license. The motion was unanimously carried.

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#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

08-03-08-Office of the Attorney General

08-04-08-Office of the Attorney General

08-13-08-Office of the Attorney General

08-15-08-Office of the Attorney General

08-16-08-Office of the Attorney General

08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
08-27-08-Closed  
08-28-08-Office of the Attorney General  
08-29-08-Closed  
08-30-08-Closed  
08-39-08-Assigned  
08-46-08-Assigned  
08-48-08-Office of the Attorney General  
08-49-08-Assigned  
08-52-08-Closed  
08-53-08-Office of the Attorney General  
08-54-08-Assigned  
08-57-08-Office of the Attorney General  
08-58-08-Office of the Attorney General  
08-59-08-Office of the Attorney General  
08-03-09-Office of the Attorney General  
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08-16-09-Closed  
08-17-09-Closed  
08-18-09-Closed  
08-19-09-Office of the Attorney General  
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08-55-09-Assigned  
08-01-10-Office of the Attorney General  
08-02-10-Closed  
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08-17-10-Office of the Attorney General  
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Review of Applications-Eileen Heeney

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#### Discussion of Proposed Legislation

If the Board had any proposed changes to the current statute, they would need to submit those changes to the Division Director November 2010.

#### Schedule Hearings

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A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the January 24, 2011 Board meeting for Jeanette Coston and Jamie Kosiek. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the February 28, 2011 Board meeting for Phyllis Henry, Randall Richardson and Binh Ho. The motion was unanimously carried.

#### Review of Consent Order

A motion was made by Mr. Rubio, seconded by Ms. Lord, to table review of the Consent Order pending review of the original complaint. The motion was unanimously carried.

#### Elections

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table Board elections until the October 25, 2010 meeting. The motion was unanimously carried.

### **Other Business Before the Board**

Jennifer Witte was introduced to the Board as their new Administrative Specialist.

This is the last Board meeting for Mr. Rubio as new job duties will not allow him to attend the meetings.

Mr. Collins addressed the Board in reference to the changes in the statute effective June 26, 2010 authorizing the Board to perform shop/salon inspections. The Division will be hiring a part-time inspector in October to work closely with the municipalities concerning unlicensed facilities.

He also would like the Board to discuss whether a nail technician should be able to perform waxing service and should this be made part of their core curriculum or should there be a special license that can be acquired to provide waxing services.

He added that the public believes that the Board has an absolute felony bar and that if they have a criminal history they cannot get licensed in Delaware and therefore, they work unlicensed. The Division of Professional Regulations needs to inform the public that there is no longer a felony bar and that if they have been convicted of a crime it may not prevent them from licensure. He also recommended that the Board find ways to provide this information to the public whether by sending newsletters to licensed shops, updating this information on the website, or providing this information when the shop/salon inspections are being performed.

The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

Donald Cobb, with 1<sup>st</sup> State Beauty Academy, inquired how to become a member on the Board of Cosmetology & Barbering. He was advised by the Board to contact the Governors Office

Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

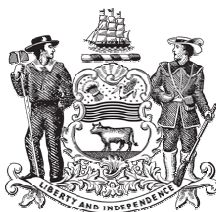
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: WWW.DPR.DELAWARE.GOV

<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
Mark A. Rubio, Public Member  
Linda Wilson, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II  
Judy Letterman, Administrative Specialist III  
James Collins, Director  
Kay Warren, Deputy Director

**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
Chester Hope  
Kevin Harris, Jr., First State Beauty Academy  
Thayer Stewart, First State Beauty Academy  
Donald Cobb, First State Beauty Academy  
Stephanie Gingerich, First State Beauty Academy  
Anthony de'Antre Davis, First State Beauty Academy  
Williemena Cooper, First State Beauty Academy

Gheorge Nastase, Academy of Massage & Bodywork  
Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

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### Propose to Deny

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#### Complaint Status

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The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

Donald Cobb, with 1<sup>st</sup> State Beauty Academy, inquired how to become a member on the Board of Cosmetology & Barbering. He was advised by the Board to contact the Governors Office

Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

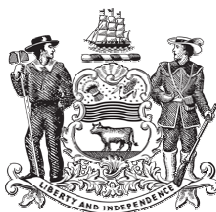
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: WWW.DPR.DELAWARE.GOV

<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
Mark A. Rubio, Public Member  
Linda Wilson, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II  
Judy Letterman, Administrative Specialist III  
James Collins, Director  
Kay Warren, Deputy Director

**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
Chester Hope  
Kevin Harris, Jr., First State Beauty Academy  
Thayer Stewart, First State Beauty Academy  
Donald Cobb, First State Beauty Academy  
Stephanie Gingerich, First State Beauty Academy  
Anthony de'Antre Davis, First State Beauty Academy  
Williemena Cooper, First State Beauty Academy

Gheorge Nastase, Academy of Massage & Bodywork  
Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

### **Ratification of Applications**

A motion was made by Ms. Pini, seconded by Mr. Rubio, to ratify the applications of Sonja's Divine Design Studio, Puttin on the Ritz, Inc., H&J Beauty & Hair Supplies Plus Salon, Angels Nails, Inc., Angel Hair Salon, Lucky Nails, Brookside Community Barber Shop, Royal Scissors International, Sene's Hair Gallery, Cindy's, Celebrity Styles, H&J Clips, Hollywood Nails & Spa, Inc., Kelly Huynh, Brian Smith, Svetlana Krymasky, Wendall Alcenat, Sophie Wildrick and Tammi's. The motion was unanimously carried.

### Propose to Deny

A motion was made by Ms. Pin, seconded by Mr. Rubio, to propose to deny the applications of Phuong Nguyen and Yahweh Spa since they have not responded to the Board's request for additional information. The motion was unanimously carried.

### New Business

#### Proposal to Deny Hearing

Eileen Heeney stated that the hearing for Francisco Diaz has been cancelled at the verbal request of Mr. Diaz who has requested his application be withdrawn. He will forward his request in writing.

#### Review of Reciprocity Applications

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the applications of Diana Brown, Cam Loan Thi Quach, Tuan Tran, Nitasha Sivilay, Cornelia Duke, Tammy Waldman, Lisa Adkins, Jill Foster, Sarah Berg, Mi Shim, Lisa Eicholtz, Julie Tran, Tina Housrey, Nguyet Lieu, Thanh Nguyen, Michelle Gentry, Jamal Powell, Rosanne Thibault, Brenda Barleson, Ky Siu Tsan, Kristen O'Brien, Minh Nguy, Tamara Smith, and Kyra Tiller. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to deny the application of Cuc Huyn for only having three years of experience after licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Khim Lang for schedule C tax document. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Cindy Huynh for an answer to question #3 on the application. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Darlene Curtis pending receipt of a notarized verification of her experience. The motion was unanimously carried.

#### Review of Salon/School Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the shop applications of Venus Nails, Classic Signature Salon, Under the Loft, Tulip Nail II, Pretty Nails, Milford Electrolysis, Touch of Glamour, Lena's Nail Salon, Fabulous Full Service Salon, New Boundaries Salon, Pure Beauty Unisex, Hair Depot, Ultimate Nails, Flipout Hair Designs, Salon on Central, N-D Nails & Tanning, Inc., A Lil' Off the Top Barber Shop, Joan's Hair Design, La Bella Vita Salon & Day Spa, Thomas David Salon, and Top Nail. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Len's Barber Shop. The address on business license differs from the address on application and the business license expired on June 30, 2010. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Majestic Hair Images pending verification of the name and license number of the licensed massage therapist and an updated business license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the applications of Its All in the Wrist, LLC. and VIP Nails Corp. pending receipt of an updated business license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Hair Influence pending receipt of a city/town license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Exquisite 1000 Salon pending the shop obtaining a licensed cosmetologist. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Rhonda's Family Hair Care for completion of questions #10, #11 and #15 of the application. The motion was unanimously carried.

#### Ratification of Applications

A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

08-03-08-Office of the Attorney General

08-04-08-Office of the Attorney General

08-13-08-Office of the Attorney General

08-15-08-Office of the Attorney General

08-16-08-Office of the Attorney General

08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
08-27-08-Closed  
08-28-08-Office of the Attorney General  
08-29-08-Closed  
08-30-08-Closed  
08-39-08-Assigned  
08-46-08-Assigned  
08-48-08-Office of the Attorney General  
08-49-08-Assigned  
08-52-08-Closed  
08-53-08-Office of the Attorney General  
08-54-08-Assigned  
08-57-08-Office of the Attorney General  
08-58-08-Office of the Attorney General  
08-59-08-Office of the Attorney General  
08-03-09-Office of the Attorney General  
08-04-09-Office of the Attorney General  
08-05-09-Closed  
08-06-09-Closed  
08-07-09-Closed  
08-08-09-Assigned  
08-09-09-Office of the Attorney General  
08-11-09-Closed  
08-12-09-Assigned  
08-13-09-Assigned  
08-14-09-Closed  
08-15-09-Closed  
08-16-09-Closed  
08-17-09-Closed  
08-18-09-Closed  
08-19-09-Office of the Attorney General  
08-20-09-Office of the Attorney General  
08-21-09-Office of the Attorney General  
08-22-09-Office of the Attorney General  
\*08-24-09-Closed  
08-25-09-Assigned  
08-26-09-Office of the Attorney General  
08-28-09-Assigned  
08-29-09-Office of the Attorney General  
08-30-09-Assigned  
08-37-09-Closed  
08-39-08-Office of the Attorney General  
08-40-09-Office of the Attorney General  
08-41-09-Office of the Attorney General  
08-42-09-Office of the Attorney General  
08-43-09-Closed

08-44-09-Assigned  
08-45-09-Assigned  
08-46-09-Office of the Attorney General  
08-47-09-Office of the Attorney General  
08-48-09-Office of the Attorney General  
08-49-09-Assigned  
08-50-09-Closed  
08-51-09-Closed  
08-52-09-Office of the Attorney General  
08-53-09-Office of the Attorney General  
08-54-09-Office of the Attorney General  
08-55-09-Assigned  
08-01-10-Office of the Attorney General  
08-02-10-Closed  
08-04-10-Assigned  
08-05-10-Closed  
08-06-10-Assigned  
08-07-10-Assigned  
08-08-10-Office of the Attorney General  
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08-10-10-Assigned  
08-11-10-Assigned  
08-12-10-Assigned  
08-13-10-Assigned  
08-15-10-Closed  
08-16-10-Assigned  
08-17-10-Office of the Attorney General  
08-18-10-Assigned  
08-19-10-Assigned  
08-20-10-Office of the Attorney General  
08-21-10-Assigned  
08-22-10-Office of the Attorney General  
08-23-10-Office of the Attorney General  
08-24-10-Office of the Attorney General

Review of Applications-Eileen Heeney

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the examination applications of Steve Kaminski, Joshua Conkey, and Natasha Abney since their crime(s) are not on the Board's list of substantially related crimes that could prevent licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to propose deny the applications of Tuan Thanh Nguyen, Viet Q. Ho, and Lien Huynh due to having previous disciplinary action. The motion was unanimously carried.

A motion was made by Mr. Rubio, seconded by Ms. Lord, to propose to deny the applications of Carol Gadsden and Rosa Van due to disciplinary action in another state. The motion was unanimously carried.

A motion was made by Mr. Rubio, seconded by Ms. Lord, to approve the apprentice application of U'Gundi Jacobs. The motion was unanimously carried.

#### Request for ADA Accommodations

A motion was made by Mr. Rubio, seconded by Ms. Lord, to approve the ADA accommodation request of William Lynch. The motion was unanimously carried.

#### Discussion of Statutory Requirement 5119 and 5134

A motion was made by Ms. Nellius, seconded by Ms. Pini, to table this discussion until the October meeting. The motion was unanimously carried.

#### Discussion of Multiple Instructor Licenses

Ms. Letterman inquired if a cosmetology instructor wanted to become a nail or aesthetician Instructor, would they need to take the appropriate instructor exam. The Board unanimously stated that they would need to first complete that professional instructor exam.

#### Discussion of Proposed Legislation

If the Board had any proposed changes to the current statute, they would need to submit those changes to the Division Director November 2010.

#### Schedule Hearings

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a Rule to Show Cause hearing at the October 25, 2010 Board meeting for Linda Keefer and Adriane Carson. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the January 24, 2011 Board meeting for Jeanette Coston and Jamie Kosiek. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the February 28, 2011 Board meeting for Phyllis Henry, Randall Richardson and Binh Ho. The motion was unanimously carried.

#### Review of Consent Order

A motion was made by Mr. Rubio, seconded by Ms. Lord, to table review of the Consent Order pending review of the original complaint. The motion was unanimously carried.

#### Elections

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table Board elections until the October 25, 2010 meeting. The motion was unanimously carried.

### **Other Business Before the Board**

Jennifer Witte was introduced to the Board as their new Administrative Specialist.

This is the last Board meeting for Mr. Rubio as new job duties will not allow him to attend the meetings.

Mr. Collins addressed the Board in reference to the changes in the statute effective June 26, 2010 authorizing the Board to perform shop/salon inspections. The Division will be hiring a part-time inspector in October to work closely with the municipalities concerning unlicensed facilities.

He also would like the Board to discuss whether a nail technician should be able to perform waxing service and should this be made part of their core curriculum or should there be a special license that can be acquired to provide waxing services.

He added that the public believes that the Board has an absolute felony bar and that if they have a criminal history they cannot get licensed in Delaware and therefore, they work unlicensed. The Division of Professional Regulations needs to inform the public that there is no longer a felony bar and that if they have been convicted of a crime it may not prevent them from licensure. He also recommended that the Board find ways to provide this information to the public whether by sending newsletters to licensed shops, updating this information on the website, or providing this information when the shop/salon inspections are being performed.

The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

Donald Cobb, with 1<sup>st</sup> State Beauty Academy, inquired how to become a member on the Board of Cosmetology & Barbering. He was advised by the Board to contact the Governors Office

Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

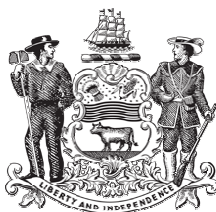
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
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<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
Mark A. Rubio, Public Member  
Linda Wilson, Professional Member

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**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
Chester Hope  
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Gheorge Nastase, Academy of Massage & Bodywork  
Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

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A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Darlene Curtis pending receipt of a notarized verification of her experience. The motion was unanimously carried.

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A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Rhonda's Family Hair Care for completion of questions #10, #11 and #15 of the application. The motion was unanimously carried.

#### Ratification of Applications

A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

08-03-08-Office of the Attorney General

08-04-08-Office of the Attorney General

08-13-08-Office of the Attorney General

08-15-08-Office of the Attorney General

08-16-08-Office of the Attorney General

08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
08-27-08-Closed  
08-28-08-Office of the Attorney General  
08-29-08-Closed  
08-30-08-Closed  
08-39-08-Assigned  
08-46-08-Assigned  
08-48-08-Office of the Attorney General  
08-49-08-Assigned  
08-52-08-Closed  
08-53-08-Office of the Attorney General  
08-54-08-Assigned  
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08-12-09-Assigned  
08-13-09-Assigned  
08-14-09-Closed  
08-15-09-Closed  
08-16-09-Closed  
08-17-09-Closed  
08-18-09-Closed  
08-19-09-Office of the Attorney General  
08-20-09-Office of the Attorney General  
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08-46-09-Office of the Attorney General  
08-47-09-Office of the Attorney General  
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08-49-09-Assigned  
08-50-09-Closed  
08-51-09-Closed  
08-52-09-Office of the Attorney General  
08-53-09-Office of the Attorney General  
08-54-09-Office of the Attorney General  
08-55-09-Assigned  
08-01-10-Office of the Attorney General  
08-02-10-Closed  
08-04-10-Assigned  
08-05-10-Closed  
08-06-10-Assigned  
08-07-10-Assigned  
08-08-10-Office of the Attorney General  
08-09-10-Office of the Attorney General  
08-10-10-Assigned  
08-11-10-Assigned  
08-12-10-Assigned  
08-13-10-Assigned  
08-15-10-Closed  
08-16-10-Assigned  
08-17-10-Office of the Attorney General  
08-18-10-Assigned  
08-19-10-Assigned  
08-20-10-Office of the Attorney General  
08-21-10-Assigned  
08-22-10-Office of the Attorney General  
08-23-10-Office of the Attorney General  
08-24-10-Office of the Attorney General

Review of Applications-Eileen Heeney

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the examination applications of Steve Kaminski, Joshua Conkey, and Natasha Abney since their crime(s) are not on the Board's list of substantially related crimes that could prevent licensure. The motion was unanimously carried.

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A motion was made by Ms. Nellius, seconded by Ms. Pini, to table this discussion until the October meeting. The motion was unanimously carried.

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Ms. Letterman inquired if a cosmetology instructor wanted to become a nail or aesthetician Instructor, would they need to take the appropriate instructor exam. The Board unanimously stated that they would need to first complete that professional instructor exam.

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If the Board had any proposed changes to the current statute, they would need to submit those changes to the Division Director November 2010.

#### Schedule Hearings

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A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the February 28, 2011 Board meeting for Phyllis Henry, Randall Richardson and Binh Ho. The motion was unanimously carried.

#### Review of Consent Order

A motion was made by Mr. Rubio, seconded by Ms. Lord, to table review of the Consent Order pending review of the original complaint. The motion was unanimously carried.

#### Elections

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table Board elections until the October 25, 2010 meeting. The motion was unanimously carried.

### **Other Business Before the Board**

Jennifer Witte was introduced to the Board as their new Administrative Specialist.

This is the last Board meeting for Mr. Rubio as new job duties will not allow him to attend the meetings.

Mr. Collins addressed the Board in reference to the changes in the statute effective June 26, 2010 authorizing the Board to perform shop/salon inspections. The Division will be hiring a part-time inspector in October to work closely with the municipalities concerning unlicensed facilities.

He also would like the Board to discuss whether a nail technician should be able to perform waxing service and should this be made part of their core curriculum or should there be a special license that can be acquired to provide waxing services.

He added that the public believes that the Board has an absolute felony bar and that if they have a criminal history they cannot get licensed in Delaware and therefore, they work unlicensed. The Division of Professional Regulations needs to inform the public that there is no longer a felony bar and that if they have been convicted of a crime it may not prevent them from licensure. He also recommended that the Board find ways to provide this information to the public whether by sending newsletters to licensed shops, updating this information on the website, or providing this information when the shop/salon inspections are being performed.

The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

Donald Cobb, with 1<sup>st</sup> State Beauty Academy, inquired how to become a member on the Board of Cosmetology & Barbering. He was advised by the Board to contact the Governors Office

Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

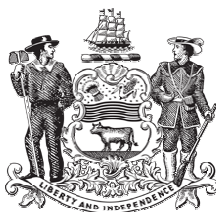
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: WWW.DPR.DELAWARE.GOV

<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
Mark A. Rubio, Public Member  
Linda Wilson, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II  
Judy Letterman, Administrative Specialist III  
James Collins, Director  
Kay Warren, Deputy Director

**OTHERS PRESENT**

Fabian Livingston, All In the Wrist  
Chester Hope  
Kevin Harris, Jr., First State Beauty Academy  
Thayer Stewart, First State Beauty Academy  
Donald Cobb, First State Beauty Academy  
Stephanie Gingerich, First State Beauty Academy  
Anthony de'Antre Davis, First State Beauty Academy  
Williemena Cooper, First State Beauty Academy

Gheorge Nastase, Academy of Massage & Bodywork  
Mutos Boundar  
Ernest Ackah, First State Beauty Academy  
Collena Hope, Truly Inspired Hair Creations

### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

### **Ratification of Applications**

A motion was made by Ms. Pini, seconded by Mr. Rubio, to ratify the applications of Sonja's Divine Design Studio, Puttin on the Ritz, Inc., H&J Beauty & Hair Supplies Plus Salon, Angels Nails, Inc., Angel Hair Salon, Lucky Nails, Brookside Community Barber Shop, Royal Scissors International, Sene's Hair Gallery, Cindy's, Celebrity Styles, H&J Clips, Hollywood Nails & Spa, Inc., Kelly Huynh, Brian Smith, Svetlana Krymasky, Wendall Alcenat, Sophie Wildrick and Tammi's. The motion was unanimously carried.

### Propose to Deny

A motion was made by Ms. Pin, seconded by Mr. Rubio, to propose to deny the applications of Phuong Nguyen and Yahweh Spa since they have not responded to the Board's request for additional information. The motion was unanimously carried.

### New Business

#### Proposal to Deny Hearing

Eileen Heeney stated that the hearing for Francisco Diaz has been cancelled at the verbal request of Mr. Diaz who has requested his application be withdrawn. He will forward his request in writing.

#### Review of Reciprocity Applications

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the applications of Diana Brown, Cam Loan Thi Quach, Tuan Tran, Nitasha Sivilay, Cornelia Duke, Tammy Waldman, Lisa Adkins, Jill Foster, Sarah Berg, Mi Shim, Lisa Eicholtz, Julie Tran, Tina Housrey, Nguyet Lieu, Thanh Nguyen, Michelle Gentry, Jamal Powell, Rosanne Thibault, Brenda Barleson, Ky Siu Tsan, Kristen O'Brien, Minh Nguy, Tamara Smith, and Kyra Tiller. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to deny the application of Cuc Huyn for only having three years of experience after licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Khim Lang for schedule C tax document. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Cindy Huynh for an answer to question #3 on the application. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to table the application of Darlene Curtis pending receipt of a notarized verification of her experience. The motion was unanimously carried.

#### Review of Salon/School Applications

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the shop applications of Venus Nails, Classic Signature Salon, Under the Loft, Tulip Nail II, Pretty Nails, Milford Electrolysis, Touch of Glamour, Lena's Nail Salon, Fabulous Full Service Salon, New Boundaries Salon, Pure Beauty Unisex, Hair Depot, Ultimate Nails, Flipout Hair Designs, Salon on Central, N-D Nails & Tanning, Inc., A Lil' Off the Top Barber Shop, Joan's Hair Design, La Bella Vita Salon & Day Spa, Thomas David Salon, and Top Nail. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Len's Barber Shop. The address on business license differs from the address on application and the business license expired on June 30, 2010. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Majestic Hair Images pending verification of the name and license number of the licensed massage therapist and an updated business license. The motion was unanimously carried.

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A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Hair Influence pending receipt of a city/town license. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Exquisite 1000 Salon pending the shop obtaining a licensed cosmetologist. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table the application of Rhonda's Family Hair Care for completion of questions #10, #11 and #15 of the application. The motion was unanimously carried.

#### Ratification of Applications

A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

08-03-08-Office of the Attorney General

08-04-08-Office of the Attorney General

08-13-08-Office of the Attorney General

08-15-08-Office of the Attorney General

08-16-08-Office of the Attorney General

08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
08-27-08-Closed  
08-28-08-Office of the Attorney General  
08-29-08-Closed  
08-30-08-Closed  
08-39-08-Assigned  
08-46-08-Assigned  
08-48-08-Office of the Attorney General  
08-49-08-Assigned  
08-52-08-Closed  
08-53-08-Office of the Attorney General  
08-54-08-Assigned  
08-57-08-Office of the Attorney General  
08-58-08-Office of the Attorney General  
08-59-08-Office of the Attorney General  
08-03-09-Office of the Attorney General  
08-04-09-Office of the Attorney General  
08-05-09-Closed  
08-06-09-Closed  
08-07-09-Closed  
08-08-09-Assigned  
08-09-09-Office of the Attorney General  
08-11-09-Closed  
08-12-09-Assigned  
08-13-09-Assigned  
08-14-09-Closed  
08-15-09-Closed  
08-16-09-Closed  
08-17-09-Closed  
08-18-09-Closed  
08-19-09-Office of the Attorney General  
08-20-09-Office of the Attorney General  
08-21-09-Office of the Attorney General  
08-22-09-Office of the Attorney General  
\*08-24-09-Closed  
08-25-09-Assigned  
08-26-09-Office of the Attorney General  
08-28-09-Assigned  
08-29-09-Office of the Attorney General  
08-30-09-Assigned  
08-37-09-Closed  
08-39-08-Office of the Attorney General  
08-40-09-Office of the Attorney General  
08-41-09-Office of the Attorney General  
08-42-09-Office of the Attorney General  
08-43-09-Closed

08-44-09-Assigned  
08-45-09-Assigned  
08-46-09-Office of the Attorney General  
08-47-09-Office of the Attorney General  
08-48-09-Office of the Attorney General  
08-49-09-Assigned  
08-50-09-Closed  
08-51-09-Closed  
08-52-09-Office of the Attorney General  
08-53-09-Office of the Attorney General  
08-54-09-Office of the Attorney General  
08-55-09-Assigned  
08-01-10-Office of the Attorney General  
08-02-10-Closed  
08-04-10-Assigned  
08-05-10-Closed  
08-06-10-Assigned  
08-07-10-Assigned  
08-08-10-Office of the Attorney General  
08-09-10-Office of the Attorney General  
08-10-10-Assigned  
08-11-10-Assigned  
08-12-10-Assigned  
08-13-10-Assigned  
08-15-10-Closed  
08-16-10-Assigned  
08-17-10-Office of the Attorney General  
08-18-10-Assigned  
08-19-10-Assigned  
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08-23-10-Office of the Attorney General  
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Review of Applications-Eileen Heeney

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**Next Scheduled Meeting**

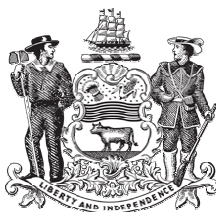
The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
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DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
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<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, September 27, 2010 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	October 25, 2010

**MEMBERS PRESENT**

Madelyn Nellius, Vice-President, Public Member  
Kathryn Lord, Secretary, Professional Member  
Cecilia Jones, Public Member  
Tien Le, Professional Member  
Marina T. Pini, Professional Member  
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### **MEMBERS ABSENT**

Richard Shultie, Jr., Professional Member  
Leila Lord, Professional Member

### **CALL TO ORDER**

Ms. Nellius called the meeting to order at 9:20 a.m.

### **REVIEW OF MINUTES**

A motion was made by Ms. Pini seconded by Mr. Rubio, to approve the April 26, 2010 minutes as amended. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

A motion was made by Ms. Nellius, seconded by Ms. Pini, to amend the agenda and add as 4.2.28 Darlene Curtis. The motion was unanimously carried.

### **Re-Review of Applications**

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to approve the applications of Jennifer Baughman, Towne & Country Barber, and Tricia Gallucci. The motion was unanimously carried.

### **Review of Proposed Rules and Regulations**

A motion was made by Ms. Nellius, seconded by Mr. Rubio to accept the changes addressed and to schedule a Public Hearing to be held at the November 29, 2010 meeting. The motion was unanimously carried.

### **Signing of the Decision and Order**

The Decision and Order for Zachary Chew was signed by the members present and will be mailed upon receipt of the remaining signatures.

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A motion was made by Ms. Pini, seconded by Ms. Nellius, to ratify the applications of Altagracia Gonzalez Almonte, Diem Tran, Thuy Kim Ngo, Kim Huong Doan, Phuong Uyen Thy Nguyen, LaSandra Turner, Channey Touch, Kelly McKelvey, Phuong Thinhhat Huynh, Nyna Tran, Frances Rodriguez, Meily Hak, Christine Schels, Linda McEvoy, Elaine Salerno, Shaughn Gonsalves, and Janice Stearrett. The motion was unanimously carried.

#### Ratification of Reinstatements

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to ratify the reinstatement application of Janice Bowden. The motion was unanimously carried.

#### Complaint Status

08-01-08-Office of the Attorney General

08-03-08-Office of the Attorney General

08-04-08-Office of the Attorney General

08-13-08-Office of the Attorney General

08-15-08-Office of the Attorney General

08-16-08-Office of the Attorney General

08-22-08-Office of the Attorney General

08-23-08-Office of the Attorney General  
08-24-08-Office of the Attorney General  
08-26-08-Closed  
08-27-08-Closed  
08-28-08-Office of the Attorney General  
08-29-08-Closed  
08-30-08-Closed  
08-39-08-Assigned  
08-46-08-Assigned  
08-48-08-Office of the Attorney General  
08-49-08-Assigned  
08-52-08-Closed  
08-53-08-Office of the Attorney General  
08-54-08-Assigned  
08-57-08-Office of the Attorney General  
08-58-08-Office of the Attorney General  
08-59-08-Office of the Attorney General  
08-03-09-Office of the Attorney General  
08-04-09-Office of the Attorney General  
08-05-09-Closed  
08-06-09-Closed  
08-07-09-Closed  
08-08-09-Assigned  
08-09-09-Office of the Attorney General  
08-11-09-Closed  
08-12-09-Assigned  
08-13-09-Assigned  
08-14-09-Closed  
08-15-09-Closed  
08-16-09-Closed  
08-17-09-Closed  
08-18-09-Closed  
08-19-09-Office of the Attorney General  
08-20-09-Office of the Attorney General  
08-21-09-Office of the Attorney General  
08-22-09-Office of the Attorney General  
\*08-24-09-Closed  
08-25-09-Assigned  
08-26-09-Office of the Attorney General  
08-28-09-Assigned  
08-29-09-Office of the Attorney General  
08-30-09-Assigned  
08-37-09-Closed  
08-39-08-Office of the Attorney General  
08-40-09-Office of the Attorney General  
08-41-09-Office of the Attorney General  
08-42-09-Office of the Attorney General  
08-43-09-Closed

08-44-09-Assigned  
08-45-09-Assigned  
08-46-09-Office of the Attorney General  
08-47-09-Office of the Attorney General  
08-48-09-Office of the Attorney General  
08-49-09-Assigned  
08-50-09-Closed  
08-51-09-Closed  
08-52-09-Office of the Attorney General  
08-53-09-Office of the Attorney General  
08-54-09-Office of the Attorney General  
08-55-09-Assigned  
08-01-10-Office of the Attorney General  
08-02-10-Closed  
08-04-10-Assigned  
08-05-10-Closed  
08-06-10-Assigned  
08-07-10-Assigned  
08-08-10-Office of the Attorney General  
08-09-10-Office of the Attorney General  
08-10-10-Assigned  
08-11-10-Assigned  
08-12-10-Assigned  
08-13-10-Assigned  
08-15-10-Closed  
08-16-10-Assigned  
08-17-10-Office of the Attorney General  
08-18-10-Assigned  
08-19-10-Assigned  
08-20-10-Office of the Attorney General  
08-21-10-Assigned  
08-22-10-Office of the Attorney General  
08-23-10-Office of the Attorney General  
08-24-10-Office of the Attorney General

Review of Applications-Eileen Heeney

A motion was made by Ms. Pini, seconded by Mr. Rubio, to approve the examination applications of Steve Kaminski, Joshua Conkey, and Natasha Abney since their crime(s) are not on the Board's list of substantially related crimes that could prevent licensure. The motion was unanimously carried.

A motion was made by Ms. Pini, seconded by Mr. Rubio, to propose deny the applications of Tuan Thanh Nguyen, Viet Q. Ho, and Lien Huynh due to having previous disciplinary action. The motion was unanimously carried.

A motion was made by Mr. Rubio, seconded by Ms. Lord, to propose to deny the applications of Carol Gadsden and Rosa Van due to disciplinary action in another state. The motion was unanimously carried.

A motion was made by Mr. Rubio, seconded by Ms. Lord, to approve the apprentice application of U'Gundi Jacobs. The motion was unanimously carried.

#### Request for ADA Accommodations

A motion was made by Mr. Rubio, seconded by Ms. Lord, to approve the ADA accommodation request of William Lynch. The motion was unanimously carried.

#### Discussion of Statutory Requirement 5119 and 5134

A motion was made by Ms. Nellius, seconded by Ms. Pini, to table this discussion until the October meeting. The motion was unanimously carried.

#### Discussion of Multiple Instructor Licenses

Ms. Letterman inquired if a cosmetology instructor wanted to become a nail or aesthetician Instructor, would they need to take the appropriate instructor exam. The Board unanimously stated that they would need to first complete that professional instructor exam.

#### Discussion of Proposed Legislation

If the Board had any proposed changes to the current statute, they would need to submit those changes to the Division Director November 2010.

#### Schedule Hearings

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a Rule to Show Cause hearing at the October 25, 2010 Board meeting for Linda Keefer and Adriane Carson. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the January 24, 2011 Board meeting for Jeanette Coston and Jamie Kosiek. The motion was unanimously carried.

A motion was made by Ms. Nellius, seconded by Ms. Pini, to schedule a disciplinary hearing at the February 28, 2011 Board meeting for Phyllis Henry, Randall Richardson and Binh Ho. The motion was unanimously carried.

#### Review of Consent Order

A motion was made by Mr. Rubio, seconded by Ms. Lord, to table review of the Consent Order pending review of the original complaint. The motion was unanimously carried.

#### Elections

A motion was made by Ms. Nellius, seconded by Mr. Rubio, to table Board elections until the October 25, 2010 meeting. The motion was unanimously carried.

### **Other Business Before the Board**

Jennifer Witte was introduced to the Board as their new Administrative Specialist.

This is the last Board meeting for Mr. Rubio as new job duties will not allow him to attend the meetings.

Mr. Collins addressed the Board in reference to the changes in the statute effective June 26, 2010 authorizing the Board to perform shop/salon inspections. The Division will be hiring a part-time inspector in October to work closely with the municipalities concerning unlicensed facilities.

He also would like the Board to discuss whether a nail technician should be able to perform waxing service and should this be made part of their core curriculum or should there be a special license that can be acquired to provide waxing services.

He added that the public believes that the Board has an absolute felony bar and that if they have a criminal history they cannot get licensed in Delaware and therefore, they work unlicensed. The Division of Professional Regulations needs to inform the public that there is no longer a felony bar and that if they have been convicted of a crime it may not prevent them from licensure. He also recommended that the Board find ways to provide this information to the public whether by sending newsletters to licensed shops, updating this information on the website, or providing this information when the shop/salon inspections are being performed.

The testing company, PCS, would like to meet with the Board in October to provide a presentation of the new examination process.

### **Public Comment**

Kevin Harris, a licensed barber, addressed the Board regarding the inspection of unlicensed shops/salons and he feels that a professional should have to take additional courses to become an instructor rather than automatically becoming an instructor based on the new statute. He also suggested that applicants with a criminal history should be required to take additional hours for licensure, for example 1700 verses 1500.

Donald Cobb, with 1<sup>st</sup> State Beauty Academy, inquired how to become a member on the Board of Cosmetology & Barbering. He was advised by the Board to contact the Governors Office

Gheorge Nastase, with Academy of Massage & Bodywork, inquired on how to be licensed as Aesthetician Instructors based on the new statute. The Board agreed that the information and a form should be added to the website.

**Next Scheduled Meeting**

The next meeting will be held on Monday, October 25, 2010 at 9:00 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

A motion was made by Mr. Rubio, seconded by Ms. Lord, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II